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(1)

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH AT BILASPUR

SINGLE BENCH

WRIT PETITION NO. 1328 OF 2005

PETITIONER : Dr. Arun Kumar Sharma, S/o Ramakant Sharma, aged about 55 years, R/o Plot No. B-2/39, Lokmanya Society Rohinipuram, Raipur (C.G.).

1328/05 Hemant Kumar
P.R. No.....
Presented by Shri.....
dated.....
29-03-05

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: Secretary, Health and Family Welfare Department Mantralaya, D.K.S. Bhawan Raipur (C.G.).

2. The Director, Indian System of Medicine and Homoeopathy of Chhattisgarh Raipur (C.G.).

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28-3-05
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLES 226/ 227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P. 1328/ **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

6-4-2005

Mr. Y.C. Sharma, counsel for the petitioner.

Mr. Sandeep Dubey, Govt. Advocate for the State/respondents.

Heard both the counsel.

The petitioner has preferred this writ petition under Article 226/227 of the Constitution of India, questioning the propriety of the order Annexure P-1, whereby the petitioner has been transferred from Government Ayurvedic Pharmacy, Raipur to Government Ayurvedic Pharmacy, Mopka on administrative ground.

The petitioner's case is that at the time of formation of the State of Chhattisgarh there were six posts of Ayurvedic Chikitsa Adhikari in Ayurvedic Pharmacy, Raipur. However, after undertaking necessary exercise, the Government of Chhattisgarh vide its order dated 2nd May, 2001 (Annexure P-2) abolished three posts and held that only three posts are required at Raipur. Now, the petitioner has been transferred from Raipur to Mopka. Moreover, the petitioner is not maintaining good health as he is a Diabetic, Blood Pressure and spondylitis patient. Without considering these difficulties of the petitioner, he has been transferred.

Learned counsel for the petitioner submits that the petitioner may be allowed to make a representation to respondent No.1 raising all his grievances, and respondent No.1 be directed to decide the same to which Mr. Dubey, learned Govt. Advocate has no objection.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation to respondent No.1 raising all his grievance, and in turn, respondent No.1 is directed to decide the same in an objective manner after considering all the points raised by the petitioner, within a period of

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक ....W.P.1328.... **सन्** **2005**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	thirty days from the date of receipt of the representation, in accordance with law. If any post is available and budget is also available, in that case, the petitioner shall not be relieved till the decision of the representation. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.1036/2005 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C.BHADOO Judge	